

COHEN & GREEN

March 8, 2023

Hon. Ona T. Wang
United States District Court, Southern District of New York
Daniel Patrick Moynihan Courthouse, 500 Pearl Street
New York, New York 10007

By Electronic Filing.

Re: Case No. 22-cv-01445, Rodney v City of New York, et al.

Dear Judge Wang:

As the Court likely recalls, my firm, with co-counsel, represents Plaintiff in the case above. I write to request an extension of the time to complete discovery. This is the second such request, is made on consent, and comes as the Court anticipated at the initial pretrial conference.

The current end of discovery is December 30, 2022. That date was set as a placeholder, given that the Court divided discovery into two phases pending the motion to dismiss (with *Monell*-only discovery being held off until following the motion). The motion to dismiss is now fully briefed. The parties have conducted some phase 1 discovery, but none of the *Monell* — or, to avoid litigation over what falls into which phase, arguably *Monell* — discovery.

Thus, the parties ask for an additional 120 days for a control date of Friday, July 28, 2023 for the close of discovery — understanding that, like the initial date, is not necessarily a hard stop given that the motion to dismiss remains pending, and even if it is resolved by then, if *Monell* discovery follows, that discovery may be voluminous and time consuming (meaning the parties anticipate further extensions may be necessary, depending on the scope and particulars of phase 2 discovery).

As always, we thank the Court for its time and consideration.

Respectfully submitted,

/s/

J. Remy Green

Honorific/Pronouns: Mx., they/their/them

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cc:

All relevant parties by electronic filing.